

From: nali065@uottawa.ca
Subject: RE: N. Ali; #5033260 - Ph.D. thesis
Date: Sat, 26 January, 2013 11:08 am
To: "DEANGRAD" <deangrad@uottawa.ca>

Dear Dr. Hastings:

It is with great distress that I write to you to request that you reconsider your decision to fail me because there are concealed facts and evidence, which has not been revealed to you and prevented you from making a fair judgement.

In my email to you dated Jan 22nd 2012, I have provided written evidence that Dr. Lemaire did not want to fail me. Your email correspondence of yesterday which states the contrary, casts doubt as to Dr. Lemaire's credibility as a bona fide examiner. In fact, Dr. Lemaire never wanted to be an examiner on my committee and admitted he could not be fair. Dr. Lemaire has admitted to having "trouble keeping his mind neutral" in examining my thesis. My supervisor is aware of this fact. Upon receiving the initial approved version of my thesis, Dr. Lemaire expressed to the Faculty that he no longer wanted to be apart of my thesis committee. My supervisor and the Faculty are aware of this fact as well. Furthermore, my supervisor has expressed on occasions that Dr. Lemaire "cannot be fair". I am incredulous at the fact that a thesis examiner who has on more than one occasion expressed his inability to be neutral in evaluating my thesis has remained on my Committee. As such, Dr. Lemaire's grade cannot be considered in reaching a decision regarding my thesis defence given his inability to remain neutral and expressed bias. You should be made aware that it is because of the instructions and directions I received from my supervisor, that this information was not revealed to you.

In addition, I was told straightforwardly that Dr. Pierrynowski was selected by my supervisor because of his friendship with my supervisor, which violates FGPS regulation G.5.C. My supervisor and Dr. Pierrynowski were in contact prior to my thesis report reaching FGPS. Dr. Pierrynowski had emailed Dr. Robertson with the results of the thesis review prior to FGPS receiving it. I am concerned about the nature of this communication which is procedurally incorrect and a manipulation of the examination process. More importantly, this puts in question the impartiality of this examiner. Following our meeting on December 13th 2012, Dr. Robertson divulged that Dr. Pierrynowski had many personal hardships: "a divorce, the death of his daughter in a canoe accident, a damaged career", which I was not aware of. This was revealed to me as a possible explanation for the failing grade received. Dr. Robertson was privy to this information yet still suggested and allowed Dr. Pierrynowski to be on the committee. As with all other matters, I trusted my supervisor's guidance in making decision regarding who was to sit on my committee.

Furthermore, my supervisor personal and professional relationship with Dr. Caldwell violates FGPS regulation G.5.C. Following your direction, I insisted on numerous occasions to address comments raised by each examiner. Upon discussing this on numerous occasions with my supervisor, he advised me otherwise and insisted this was not the proper direction. Dr. Robertson and the faculty were informed by Dr. Caldwell that he objected to review the thesis comments directly with me, but rather preferred to handle this matter with my supervisor. I am concerned about these communications and also puts in question the impartiality of this examiner.

Dr. Hastings, respectfully, it is not fair to put you in the position of making an important decision when you have been blindfolded from the facts. I am pleading to you that it would be a grave mistake to fail me as there is yet more evidence to be disclosed. My hope is that this matter can be resolved immediately, which would avoid having to escalate this

case to other university authorities.

Furthermore, I implore you to please consider the following points in your decision:

First and foremost, a doctoral thesis constitutes the creation and dissemination of knowledge. I presently have four scholarly journal papers published/accepted for publication in reputable journals. These four journal papers constitute four chapters in my thesis, signifying four of five chapters are published. All four journals were peer reviewed, each had at least two reviewers with very strong editorial boards, as well as many subject matter experts in the field of ACL injury biomechanics. What this suggests is that there are at least eight different independent experts in the field of ACL injury biomechanics that have reviewed my work, consider it original, innovative, as well as adding to the body of scientific knowledge, and subsequently agreed to publish it. The fact that four editorial boards have published my work validates the scientific quality and innovative nature of the thesis as well as confirms my ability to create and disseminate scientific knowledge. The School of Human Kinetics (SHK) Graduate Handbook states "The thesis should also make a significant contribution to the literature" a tenet that my thesis has met. It is evident that there is a great discrepancy in views between the journal reviewers and the thesis examiners. As a student, it was troubling to see that some examiners wrote in their evaluations that they had serious doubts about my work ever being published while most of the thesis content is indeed published.

Secondly, as per the SHK Graduate Handbook "The thesis involves the generation of new knowledge within the psychosocial or biophysical disciplinary areas of Human Kinetics and is expected to be of publishable quality." Given that a PhD thesis must feature work that "is expected to be of publishable quality", published work has greater value and legitimacy than work that is yet to be published.

Section G.1 of the FGPS General Regulations states:

A thesis must follow the outlined standards of quality:
"1) constitute a significant contribution to knowledge;
2) embody the results of original investigation and analysis on the part of the student; and
3) be of such quality as to merit publication."

Based on these three standards, my thesis has met requirement #1 and #2, and exceeded requirement #3, given four chapters of the thesis have been published in several reputable scholarly journals.

In addition, as per SHK Graduate Handbook, an article style thesis consists of "Three or four regular feature articles. Each article must be ready to be submitted for publication to a peer review journal. The format of each article can follow the specific requirements of the selected refereed journal."

It is evident that an article style thesis must only "be ready to be submitted for publication to a peer review journal," however one would infer that for an article to not only be prepared and readied to be submitted but also to be published, is of greater value to the University of Ottawa and the School of Human Kinetics. Furthermore, I have received support from subject matter experts in the domain of ACL injury biomechanics who have reviewed my work and confirmed that it meets FGPS General Regulations, Section G.1.

Dr. Hastings, I strongly believe that our challenges can be mediated. I am pleading that you reconsider your decision so that this matter can be resolved amicably without escalation.

Given I:

1. Created and disseminated knowledge;
2. Met the three requirements outlined in the FGPS Regulation Section G.1;

and most importantly,

3. Presented hard facts to show that a thesis examiner was not a bona fide examiner; as well as,
 4. Presented hard facts to show that two thesis examiners are not at arms length to my supervisor,

I humbly ask you to offer me the opportunity to be heard given as I was forbidden by my supervisors to speak. All evidence can be provided when required. I am and will remain grateful for your consideration.

Sincerely,

Nicholas Ali

> Dear Professor Robertson and Mr. Ali,
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 > I have spoken to both of the evaluators who rejected the thesis - both of
 > them confirmed their view that the thesis was not acceptable. Under these
 > circumstances, I am maintaining my decision not to let the thesis proceed
 > to defense.
 >
 > Sincerely,
 >
 > Ross Hastings
 > Doyen| Dean
 > Faculté des études supérieures et postdoctorales |
 > Faculty of Graduate and Postdoctoral Studies
 > deangrad@uOttawa.ca<mailto:deangrad@uOttawa.ca>
 > Téléphone / Telephone : (613) 562-5800 poste/extension 1234
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 > From: Gordon Robertson
 > Sent: 21 janvier 2013 04:32
 > To: DEANGRAD
 > Cc: Heidi Sveistrup; Gholamreza Rouhi; Eric Doucet
 > Subject: RE: N. Ali; #5033260 - Ph.D. thesis
 >
 > I am sorry to hear of this decision. I suggest one more attempt be made to
 > salvage this situation, which I believe was caused by the non-transparent
 > questions posed in the letters to the referees.
 >
 > I suggest that you call the referees and ask the following clear question:
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 > "Are you opposed to having Mr. Nicholas Ali defend his thesis orally?" If
 > two examiners deny the defense the failure is justified.
 >
 > None of the examiners were actually asked this question. The form was very
 > evasive and provided a number of options that didn't address the essential
 > nature of the review (i.e., pass or fail).
 >
 > The decision to deny his defence hurts all concerned, including but not
 > limited to the referees, the supervisors, and the student. It is also
 > hurtful to the School of Human Kinetics, Faculty of Health Sciences, FGPS,
 > and the University, not to mention the people of Ontario who funded much
 > of the training of this student. This is a lose-lose-...-lose situation
 > that, I believe, could easily become a win-win-...-win situation.
 >
 > Sincerely
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 > From: DEANGRAD
 > Sent: January 20, 2013 12:24 PM
 > To: nali065@uottawa.ca

> Cc: Gordon Robertson; Heidi Sveistrup
> Subject: N. Ali; #5033260 - Ph.D. thesis
>
> Dear Mr. Ali,
>
> I have reviewed the reports of the examiners of your thesis, as well as
> the supplementary documentation submitted by you and your supervisors. I
> regret to inform you that I am not willing to recommend that the thesis go
> forward for an oral defense - my decision is based on regulation #
> G.5.2(a) of the Faculty of Graduate and Postdoctoral Studies which
> specifies that: "A thesis may not be defended if two or more examiners are
> opposed."
>
> You will receive a formal letter confirming my decision over the next few
> days; this letter will also lay out the process available to you if you
> wish to appeal my decision.
>
> Ross Hastings
> Doyen| Dean
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> Faculty of Graduate and Postdoctoral Studies
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